Serial No. 10/038,575

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks, which are responsive to the first Office Action mailed on December 1, 2005. Through this response, Claims 17 and 21-25 are amended and Claims 1-27 remain pending in the present application. Claims 1 and 17 are the independent claims.

A.   Statement of the Rejection

The Examiner rejects Claims 1-27 in the above-identified patent application. Specifically, the Examiner rejects independent Claim 1 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,397,352 ("Chandrasekaran") and Claim 17 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,205,482 ("Navarre"). Additionally, the Examiner rejects Claims 2-3 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in view of Morin; Claims 4-5, 7, 9-11, and 15 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin and U.S. Patent No. 6,804,333 ("Liu"); Claim 6 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and U.S. Patent No. 6,917,979 ("Dutra"); Claim 8 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and U.S. Patent No. 6,205,482 ("Navarre"); Claim 12 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and U.S. Patent No. 5,903,723 ("Beck"); Claim 13 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and U.S. Patent No. 6,721,322 ("Lakhani"); Claim 14 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and U.S. Patent No. 6,493,726 ("Ganesh"); Claim 16 under 35 U.S.C. § 103(a) as unpatentable over Chandrasekaran in combination with Morin, Liu, and Dutra; Claims 18-19, 26-27 under 35 U.S.C. § 103(a) as unpatentable over Navarre in view of Morin; Claims 20-21, 24-25 under 35 U.S.C. § 103(a) as unpatentable over Navarre in combination with Morin and Liu; and Claims 22-23 under 35 U.S.C. § 103(a) as unpatentable over Navarre in combination with Morin, Liu, and Dutra. Applicants respectfully traverse these rejections, as more fully discussed below.

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B.   Traversal of Rejection of Independent Claim 1 under 35 U.S.C. § 102(e)

The Examiner alleges that Chandrasekaran discloses a system that can be implemented in computer hardware or software code for transmitting and receiving messages between a host computer system application and a distributed computer system application. (Office Action at page 2.) The Examiner further alleges that a distributed computer program interface is connected to the distributed computer system application and is operative to configure the message for transmission over a communication network. (Office Action at page 3.) For the reasons provided below, Applicants respectfully traverse the Examiner's conclusions as to Claim 1.

1. Chandrasekaran does not teach or suggest configuring a message for transmission over a communication network

Claim 1 recites a distributed computer program interface operative to configure a message for transmission over a communication network.   This is not disclosed by Chandrasekaran. Instead, Chandrasekaran discloses inserting message data into a propagation queue at a source site and later dequeing the message and propagating it to a destination site. (Chandrasekaran at Column 6, lines 63-64 and Column 7, lines 14-15). Nowhere, however, does Chandrasekaran teach that a message is "configured," as recited by Claim 1. Accordingly, Applicants respectfully submit that the rejection as to Claim 1 is improper and request that it be withdrawn.

2. Chandrasekaran is directed to a different solution than is Claim 1

Claim 1 includes the recitation of configuring a message. Chandrasekaran, on the other hand, is directed to solving a distinctly different problem, associated with propagating and prioritizing messages. More specifically, as disclosed in its specification, Chandrasekaran is directed towards: (1) reducing or removing problems that occur when using a two-phase commit sequence to propagate messages, (2) guaranteeing that the message is only processed once, and (3) propagating messages in order of priority. (Chandrasekaran at Col. 4, lines 64 -- col. 5, line 6). Chandrasekaran is devoid of any mention or need for "configuring a message," as recited by Claim 1. Hence, Applicants submit that the rejection as to Claim 1 is improper and respectfully request that it be withdrawn.

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3. **Chandrasekaran does not disclose transmitting and receiving messages *between* a host computer system application and a distributed computer system application**

Claim 1 recites a message processing system for transmitting and receiving messages between a host computer system application and a distributed computer system application. In contrast, Chandrasekaran only discloses a method and system for propagating messages "from a source site to a destination site." (Chandrasekaran at Col. 5, lines 12-61) (emphasis added). Thus, Chandrasekaran is limited to communications propagating in one direction and does not disclose a system whereby communications may flow in both directions. Claim 1 specifically recites "transmitting and receiving messages between a host computer system application and a distributed computer system application." Accordingly, Applicants respectfully submit that the rejection as to Claim 1 is improper and respectfully request that it be withdrawn.

C.   **Traversal of Rejection of Independent Claim 17 under 35 U.S.C. § 102(e)**

The Examiner alleges that Navarre discloses a system that can be implemented in computer hardware or software code for processing a message between a first application running on a first network element and a second application running on a second network element of a communication network. (Office Action at page 3). Applicants respectfully traverse this rejection and submit that independent Claim 17 is not anticipated by Navarre.

1. **Navarre does not teach or suggest configuring a message for transmission or delivery**

Amended Claim 17 requires the steps of "configuring the message for transmission over the communication network" and "configuring the message for delivery to the second network element." These steps, however, are not disclosed by Navarre. In Navarre, a client application 410 sends a request for information to a gateway 420. (Column 2, line 61 -- column 3, line 1; Figure 2). The gateway 420, in turn, generates a set of data access transactions associated with specific server applications. (Column 3, lines 4-10; Figure 2). The gateway 420 then transmits the data access transactions to the respective server applications 430, 440, 460. (Column 3, lines 24-25; Figure 4). The gateway 420 then receives responses back from the server applications,

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organizes the responses, and transmits the responses back to the client application 410. (See column 3, lines 41-59; Figure 3).

Unlike Claim 17, each device in Navarre responds to a request or data from another device by **generating a new request or data**. Specifically, the client application 410 generates a request that prompts the gateway 420 to generate data access transactions that, in turn, prompts the server applications 430, 440, 460 to generate another response. (See column 2, line 61 -- column 3, line 59). Importantly, however, Navarre does not disclose or suggest messages that are configured for "transmission" or "delivery." Accordingly, Applicants respectfully submit that the rejection as to Claim 17 is improper and request that it be withdrawn.

2. **Navarre does not teach or suggest generating a message in a first network element and delivering the message to a second network element**

Claim 17 recites generating a message in a first network element and delivering the message to a second network element. The Examiner states that the client application 410 in Navarre is equivalent to the "first network element" and that the server application 230 in Navarre is equivalent to the "second network element" recited in Claim 17. (Office Action at page 3.) Further, the Examiner states that the data access transactions in Navarre are equivalent to the "message" recited in Claim 17. Applicants respectfully traverse these conclusions by the Examiner.

The client application 410 in Navarre transmits a request for information to the gateway 420. (Column 2, line 66 -- column 3, line 1). This request is used by the gateway 420 to generate new requests in the form of data access transactions. (See Column 3, lines 4-10; Figure 4). Therefore, the request is not configured by the gateway 420 and does not continue past the gateway 420. Id. Hence, the client application does not generate a "message" as disclosed in Claim 17.

Moreover, even if the request in Navarre were assumed to be a "message" (it is not), Navarre still does not disclose "delivering the message to [a] second network element," as recited by Claim 17. As stated above, the request in Navarre stops at the gateway 420. (See Column 3, lines 4-10; Figure 4). In response to the request, the gateway generates data access transactions and sends them to the server applications 430, 440, 460. (See column 3, lines 5-26.) Hence, the server applications 430, 440, 460 receive data generated from the gateway, not from

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the client application. Accordingly, the request transmitted by the client application 410 in Navarre is not delivered to the server applications 430, 440, 460. Applicants therefore respectfully submit that the rejection as to Claim 17 is improper and request that it be withdrawn.

D. Discussion of Other References Relied on by the Examiner

For the reasons outlined below, Applicants' respectfully submit that the other references cited by the Examiner do not disclose certain elements and are inapplicable to Claims 1 and 17.

1. Navarre does not teach or suggest configuring a message for *transmission* over a communication network

Navarre does not teach or suggest configuring a message for transmission over a communication network. In contrast, each device in Navarre responds to a request or data from another device by **generating a new request or data**. Specifically, the client application 410 generates a request that prompts the gateway 420 to generate data access transactions that, in turn, prompts the server applications 430, 440, 460 to generate another response. (See column 2, line 61 -- column 3, line 59). Accordingly, Applicants submit that Navarre does not disclose or suggest configuring messages, as recited by Claims 1 and 17.

2. The solution of Morin is inapplicable to Claims 1 and 17

Morin is directed to providing services for a mobile subscriber who has moved to a particular mobile switching center. (Col. 2, lines 13-23). If the subscriber service is not supported, a comparable service is identified and provided to the subscriber. (Col. 2, lines 15-23). This process does not involve configuring a message, as required by Claims 1 and 17. Thus, not only does Morin not disclose configuring a message for transmission, it is also concerns the wholly separate technical art of providing wireless subscriber services and does not involve the invention of Claims 1 and 17, which are directed to a message processing system for transmitting and receiving messages between a host computer application and a distributed computer application. Accordingly, Applicants submit that Morin is inapplicable, and further, does not disclose or suggest configuring messages as recited by Claims 1 and 17.

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3. The solution of Liu is inapplicable to Claims 1 and 17

Liu discloses a system and method for directing incoming phone calls. A user calls a computer system and is presented a choice of services to select from. (Col. 3, lines 14 30). The user selects a service and the computer directs the call to the appropriate telephone agent. (See Col. 3, lines 14-33). Thus, Liu discloses routing a telephone call, not configuring a message, as disclosed by Claim 1. Furthermore, the technology disclosed in Liu is unrelated to the invention of Claim 1, which is directed to a message processing system for transmitting and receiving messages between a host computer system application and a distributed computer system application Accordingly, Applicants respectfully submit that Liu is inapplicable, and further, does not disclose or suggest configuring messages as recited by Claims 1 and 17.

4. Dutra does not teach or suggest configuring a message for transmission over a communication network

Dutra discloses a system and method for managing compliance with service level agreements. (Col. 5, lines 15-16). The system includes a storage device and queue manager that prioritizes a list of delivery jobs. (Col. 5, lines 15-24). Thus, Dutra does not disclose configuring a message, as disclosed by Claim 1. Accordingly, Applicants respectfully submit that Dutra does not disclose or suggest configuring messages as recited by Claims 1 and 17.

5. Beck does not teach or suggest configuring a message for transmission over a communication network

Beck discloses a system and method for providing electronic attachments by reference rather than by value. (Col. 1, lines 7-10). An attachment is stored and an attachment reference is generated comprising the network address for the attachment. (Col. 1, line 61 — col. 2, line 4). Thus, Beck discloses generating an attachment reference, not configuring a message for transmission. Accordingly, Applicants respectfully submit that Beck does not disclose or suggest configuring messages as recited by Claims 1 and 17.

6. The solution of Ganesh is inapplicable to Claims 1 and 17

Ganesh discloses a method and apparatus for performing a two-phase commit. (Col. 6, lines 10-11). Nowhere does Ganesh disclose or suggest converting a message. In contrast, Ganesh discloses determining which databases will commit and sending a forget request to the

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databases. (Col. 5, lines 10-33). Moreover, the technology disclosed in Ganesh is unrelated and inapplicable to the inventions of Claims 1 and 17. Accordingly, Applicants respectfully submit that Ganesh is inapplicable, and further, does not disclose or suggest configuring messages as recited by Claims 1 and 17.

7. The solution of Lakhani is inapplicable to Claims 1 and 17

Lakhani discloses a system and method for providing dynamic high usage trunk groups between switched virtual circuits. (Col. 2, lines 23-26). This solution is unrelated to the invention of Claims 1 and 17, which recite novel systems for exchanging messages between a host computer application and a distributed computer application. Further, Lakhani does not disclose a host computer system operative to process a message generated by a distributed computer system application, as disclosed in Claim 1, or configuring a message for delivery to a second network element, as disclosed in Claim 17. Instead, Lakhani simply discloses forwarding messages, but not processing them, and does not disclose configuring messages for delivery to a second network element. Accordingly, Applicants respectfully submit that Lakhani is inapplicable to Claims 1 and 17.

E. Traversal of Rejection of Dependent Claims 2-16 and 18-27 under 35 U.S.C. § 103(a)

Applicants respectfully request that the Examiner withdraw the rejection of dependent Claims 2-16 and 18-27. If an independent claim is allowable, then the claims dependent therefrom should also be allowable because they include all of the limitations of the independent claim. In view of the foregoing remarks with respect to independent Claims 1 and 17, Applicants respectfully submit that each dependent claim is patentable over the combination of the cited references. In addition, Applicants respectfully submit that there are other reasons supporting the novelty and non-obviousness of Claims 2-16 and 18-27, some of which are addressed below.

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1. **There is no motivation to combine Chandrasekaran with Morin in order to reach the solutions of Claims 2 and 3**

Claims 2 and 3 are directed to the configuration of a message by associating a transmission profile with the message. As to this, the Examiner has stated that Morin in combination with Chandrasekaran renders Claims 2 and 3 obvious. Morin discloses a method and system for providing services to a wireless telephone subscriber in a mobile switching center. (Morin at column 2, lines 13-23.) Unlike Claims 2 and 3, however, Morin has nothing whatsoever to do with the interchange of messages between a host computer system and a distributed computer system. Further, one of ordinary skill in the art would not find motivation to combine Chandrasekaran and Morin, and the Examiner has provided none. While Chandrasekaran discloses queuing and prioritizing messages, Morin relates to the totally dissimilar technology of delivering services to wireless subscribers. Additionally, even assuming that one of ordinary skill in the art were to combine the references, they would not result in the solutions provided by Applicants' Claims 2 and 3. Therefore, Applicants submit that Morin is inapplicable and does not render obvious Claims 2 and 3 either standing alone or in combination with Chandrasekaran.

2. **There is no motivation to combine Chandrasekaran with other references in order to reach the solutions of Claims 2-16 and 18-27**

Because Chandrasekaran is directed towards a totally different solution than are Claim 2-16 and 18-27, there is likewise no motivation to combine Chandrasekaran with other references under 35 U.S.C. § 103(a). As stated previously, Chandrasekaran is directed towards: (1) reducing or removing problems that occur when using a two-phase commit sequence to **propagate messages,** (2) guaranteeing that the message is only **processed** once, and (3) **propagating messages** in order of priority. (Chandrasekaran at Col. 4, lines 64 -- col. 5, line 6). Simply put, Chandrasekaran does not indicate, suggest, or recognize a need to configure messages as recited by Claims 2-16 and 18-27. Accordingly, Applicants respectfully submit that Claims 2-16 and 18-27 are neither anticipated nor rendered obvious by Chandrasekaran alone or in combination with other references.
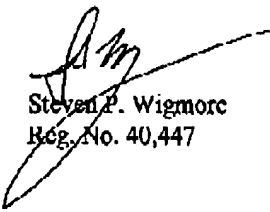
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CONCLUSION

The foregoing is submitted as a full and complete response to the Official Action mailed December 1, 2005. Applicants' remarks above should not be construed as an admission as to the validity of the references as prior art under 35 U.S.C. § 102(e) or § 103(a). As such, Applicants expressly reserve the right to file an affidavit under 37 CFR § 1.131, or otherwise antedate the cited references, should the Applicants choose to do so in the future. Moreover, Applicants respectfully submit that, in view of the remarks above, the rejections under 35 U.S.C. § 102(e) and § 103(a) are improper and not supported by the cited references.

Applicants thank Examiner Lan Dai T. Truong for his consideration of the submitted remarks. Applicants have shown that the pending claims are allowable and, therefore, allowance of Claims 1-27 is respectfully requested. Furthermore, it is believed that this response places the application in condition for allowance and such action is courteously requested. If there are any issues that can be resolved with an Examiner's Amendment or a telephone conference, a telephone call to the undersigned attorney at 404.572.2884 is respectfully requested.

Respectfully submitted,

Steven P. Wigmore
Reg. No. 40,447

King & Spalding LLP
1180 Peachtree Street, N.E., 34th Floor
Atlanta, Georgia 30309-3521
404.572.4600
K&S Docket: 16600.105001

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